CERTIFICATE OF ELECTRONIC TRANSMISSION

I hereby certify that this correspondence, including listed enclosures is being electronically transmitted in Portable Document Form (PDF) through EFS-Web via Hyper Text Transfer Protocol to the United States Patent and Trademark Office's Patent Electronic Business Center on:

PATENT Attorney Docket No.: 101961-01-5142-US02

Client Ref. No.: 7994.204-US

(NEO00293US/371)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Shawn DeFrees, et al.

Application No.: 10/579,621

Filed: February 21, 2007

For: GLYCOPEGYLATED

ERYTHROPOIETIN

Customer No.: 43850

Confirmation Number:

9539

Examiner:

Goon, Scarlett Y.

Technology Center/Art Unit: 1623

NOTIFICATION OF LOSS OF

ENTITLEMENT TO SMALL ENTITY

STATUS UNDER 37 CFR 1.27(G)(2) DEFICIENCY PAYMENT UNDER 37

CFR 1.28(C)

Commissioner for Patents P.O. Box 1450

Alexandria, VA 22313-1450

Status as a small entity was established in good faith in the above referenced application and fees as a small entity were paid in good faith. It has meanwhile been discovered that small entity status was established in error. Applicant respectfully requests for this error to be excused in accordance with 37 CFR 1.28(c). As required in paragraphs (c)(1) and (c)(2) therein, the itemization of the deficiency payment owed (resulting from the previous erroneous payment of small entity fees) is submitted herewith.

The Commissioner is authorized to deduct the total deficiency payment amount shown on the enclosed fee transmittal, or any additional underpayments from the undersigned's Deposit Account No. 50-0310.

83/55/5018 CKHLUK	00000003 500310	10579621	Adjustment date 93726/2096 ATRA	N1 8888867 500310	10579621
01 FC:1631	339.00 DA		01 FC:2633 02 FC:2633	150.00 CK 100.00 CR	
02 FC:1633 03 FC:1615	676.48 DA 676.48 DA		03 FC:2641 04 FC:2681	59.60 CK 125.60 CR	
04 FC:1681 V5 FC:1641	270.66 DA 160.66 DA 130.66 DA		05 FC:2615	350.00 CK	
A6 FC:1617	100100				

Further, attached is a supplemental Application Data Sheet.

A corrected Filing Receipt is respectfully requested.

Respectfully submitted,

Ada O. Wong Reg. No. 55,740

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